 Permit #: SB-2018-67-1359  Waterbody Name: OWLT – 5 Wetland Sites

Date: 08/03/2018  Contact Person: Christine Bohn

Subject: Aquatic Plant Management Permit Application

Dear Christine,

Enclosed is your approved permit for the chemical treatment of aquatic plants in 5 different wetland sites, Washington County. The proposed treatment is a maximum of 4 acres.

This permit has been issued in accordance with Wisconsin Administrative code NR 107. Aspects of this permit may not be changed without prior approval of the Department of Natural Resources. Issuance of this permit is not an endorsement for the action authorized. Please note the permit conditions below.

Wetland Specific Permit Conditions: (All checked conditions apply to this permit)

- The use of some product’s specific formulations have been denied due to the potential effects on special concern, threatened or endangered species that may be present at the treatment area, or in proximity that migration to the treatment area is possible. These species may have been recently found in the area or research has shown impacts to these species from a product. Please consult product label for specific formulations.

- Treatment may only be applied when there is low flow discharge out of the pond. The outlet should be blocked, if possible, during treatment and 24 hours post treatment. Weather forecasts shall be used to ensure that treatment does not occur prior to or during storm events.

- Treatment may only be applied when there is no discharge out of the pond. The outlet must be blocked during treatment and 24 hours post treatment. Weather forecasts shall be used to ensure that treatment does not occur prior to or during storm events.

- Hydrothol 191 may only be applied at a concentration of 0.3 ppm or less.

- Reward may only be applied at a concentration of 0.37 mg/L or less.

- The herbicide ______________________ may only be applied at a concentration of ______________________ or less.

- The herbicide ______________________ may only be applied at a concentration of ______________________ or less.

- The herbicides ______________________ cannot be used.
You must notify Lakes Biologist Heidi Bunk by e-mail (Heidi.Bunk@wi.gov) a minimum of 1 working day prior to anticipated treatment.

Posting signs shall be placed on each individual property in and adjacent to the treatment area. These posting signs shall clearly indicate which properties have and have not had treatment in front of their riparian property.

Surfactants may not be used.

Multiple threatened and special concern species have been documented as occurring in or adjacent to the proposed wetland treatment. The species found are:

- Smooth Black-haw (*Viburnum prunifolium*) - SC
- Ram's-head Lady's-slipper (*Cypripedium arietinum*) - THR
- Round-leaved Orchis (*Amerorchis rotundifolia*) - THR
- Robbins' Spike-rush (*Eleocharis robbinsii*) - SC

Please note that two of these species are listed as “special concern” (SC) in WI, and two of these species are listed as ‘threatened’ in WI. Identification resources will be sent to you. Direct treatment of these species, where found the day of treatment, must be avoided.

**General Permit Conditions: (All conditions apply to this permit)**

- The permit holder, per NR107.08(8), shall submit the Aquatic Plant Management Treatment record for treatment as follows:
  A. Immediately, if any unusual circumstances occur during treatment.
  B. Within 30 days, if treatment occurs.
  C. By October 1 of this year if no treatment occurred.

- Treatment concentration cannot exceed maximum recommended dosage for target species, as listed on the product label.

- All equipment used in the pond or wetland must be sanitized before entering waters of the state and must abide by all provisions of NR 40.

- Posting signs shall be placed on each individual property in and adjacent to the treatment area. These posting signs shall clearly indicate which properties have and have not had treatment in front of their riparian property.

- Application is restricted to the permitted area as shown on the map included in the permit application.

Any chemical treatments or locations not described in this application will require an additional permit from the Department. Future permit applications will be evaluated based on the information at that time.

Please feel free to contact me by email at erin.cox@wi.gov if you have any questions.

Sincerely,

Erin Cox
Water Resources Specialist
Aquatic Plant Management-General Information

NOTE: Missing or incomplete fields are highlighted at the bottom of each page. You may save, close and return to your draft permit as often as necessary to complete your application. If there are no updates in 90 days, your draft is deleted.

Site or Project Name: Washington County Chemical Aquatic Plant Control
The permit application will be saved automatically with this name.

Activity: 3200-004 Chemical Aquatic Plant Control Application

Before completing your APM permit, the DNR encourages applicants to contact their local APM Contact: http://dnr.wi.gov/lakes/contacts/Contacts.aspx?role=AP MNGT

NOTE: To be considered a private pond. The waterbody must meet all of the following requirements:

1. Confined to one property owner.
2. No public access.
3. The pond has no uncontrolled surface water discharge.

Upon submittal of your permit application, a non-refundable $20 permit processing fee will be charged. Additional acreage fees will refunded if the permit request is denied or if no treatment occurs.

3200-004 Chemical Aquatic Plant Control Application
- Annually complete all pages on Form 3200-004 for chemical plant management applications. Complete form 3200-004a for large treatments(exceeds 10.0 acres in size or 10% of the area of the water body that is 10 feet or less in depth) as required by NR10
  - Form 3200-004 is competed electronically through this system.
  - Form 3200-004a must be completed outside the system and uploaded to the attachments section. Please refer to this lin copy of this form: http://dnr.wi.gov/files/pdf/forms/3200/3200-004A.pdf
- Attach a map that shows the treatment location(s), treatment dimensions and riparian landowners. If requesting WPDES cover, attach a water body map that shows surface outflow and receiving waters.
- For a large-scale treatment, attach evidence that a public notice has been published in a regional / local newspaper and if require a public informational meeting has been conducted as defined in NR107.04(3).
- Pay fee online.
- Sign and Submit form.
- A signed permit application certifies to the Department that a copy of the application has been provided to any affected property association/district and to landowners adjacent to treatment area.

Large Format Documents: If you submit an application in hard copy with documents that are larger than 11x17, WDNR staff may reqi you submit a copy of the document in electronic format, either as an email attachment, or on digital media, such as a CD. Help reduce size and troubleshoot file uploads
Notice: Use of this form is required by the Department for any application filed pursuant to s. 281.17(2), Wis. Stats., and Chapters NR 107, 200 and 205, Wis. Adm. Code. This permit application is required to request coverage for pollutant discharge into waters of the state. Personally identifiable information on this form may be provided to requesters to the extent required by Wisconsin's Open Records Law [ss. 19.31-19.39, Wis. Stats.].

Section I – Applicant Information
Name: Christine Bohn
Address: 200 Wisconsin Street, West Bend, WI 53095
Phone Number: 262-338-1794
Email Address: cbohn@owlt.org

Section II – Aquatic Plant Control Location
Water body to be Treated: Varies - see attachments
Lake Surface Area: Estimated Surface Area that is 10 feet or less in depth: 0.00 acres
Name of Applicator or Firm: Ozaukee Washington Land Trust (more TBD, will furnish list)
Street or Route: 200 Wisconsin Street
City: West Bend, WI 53095
Phone Number: 262-338-1794
Email Address: cbohn@owlt.org
Applicator Certification Number for Category 5 Aquatic Pesticide Application: 95197
Business Location License Number (if applicable): 93-023664-019806

Area(s) Proposed for Control: None

Estimated Acreage: 0.00
Average Depth: 0 ft
Calculated Volume: 0.00 ac-ft

If the estimated acreage is greater than 10 acres, or is greater than 10 percent of the estimated area 10 feet or less in depth in Section II, complete and attach Form 3200-004A, Large-Scale Treatment Worksheet. Private pond treatments are exempted from this requirement.

Is the area with in or adjacent to a sensitive area designated by the Department of Natural Resources?
Yes ☐  No ☑
### Section III - Fees

1. s. NR 107.11(1), Wis. Adm. Code, lists the conditions under which the permit fee is limited to the $20 minimum charge.
2. s. NR 107.11(4), Wis. Adm. Code, lists the uses that are exempt from permit requirements.
3. s. NR 107.04(2), Wis. Adm. Code, provides for a refund of acreage fees if the permit is denied or if no treatment occurs.
4. Fee calculations: If proposed treatment is over 0.25, calculate acreage fee:

   \[
   \text{acres} \times \$25 \text{ per acre} = \$ \quad \text{if proposed treatment is less than 0.25 acre, acreage fee is } \$0
   \]

   Acreage Fee (from above) $100.00

   Basic Permit Fee (non-refundable) $20.00

   Total Fee Enclosed $120.00

**Site Map:** Attach a sketch or a printed map of lake indicating area and dimensions of each individual area where plant control is desired and flow of surface water outside treatment area. Also show location of property owners riparian to and adjacent to the treatment area. Attach a separate list of owners and corresponding treatment dimension coded to the lake map, if necessary.

### Section IV - Reasons for Aquatic Plant Control

Is this permit being requested in accordance with an approved Aquatic Plant Management Plan? **Yes** **No**

<table>
<thead>
<tr>
<th>Treatment Type</th>
<th>Lake</th>
<th>Pond</th>
<th>Wetland</th>
<th>Marina</th>
<th>Other</th>
</tr>
</thead>
</table>

Goal of Aquatic Plant Control:
- □ Maintain navigation channel
- □ Maintain boat landing and carry in access
- □ Improve fish habitat
- □ Maintain swimming area
- □ Control of invasive exotics
- □ Other

Nuisance Caused By:
- □ Algae
- □ Emergent water plants (majority of leaves & stems growing above water surface, e.g., cattail, bulrushes)
- □ Floating water plants (majority of leaves floating on water surface, e.g., water lilies, duckweed)
- □ Submerged water plants (leaves & stems below surface, flowering parts may be exposed: milfoil, coontail)
- □ Other

Invasion adjacent to water body

Note: Different plants require different chemicals for effective treatment. Do not purchase chemical before identifying plants.

List Target Plants

Phragmites australis subsp. australis

### Section V - Chemical Control

<table>
<thead>
<tr>
<th>Alternatives to Chemical Control</th>
<th>Feasible?</th>
<th>If No, Why Not?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mechanical harvesting</td>
<td>□ Yes ○ No</td>
<td>not effective at large scale</td>
</tr>
<tr>
<td>2. Manual removal</td>
<td>□ Yes ○ No</td>
<td>not effective</td>
</tr>
<tr>
<td>5. Sediment screens/covers</td>
<td>□ Yes ○ No</td>
<td>NA</td>
</tr>
<tr>
<td>6. Dredging</td>
<td>□ Yes ○ No</td>
<td>not cost effective</td>
</tr>
<tr>
<td>7. Lake drawdown</td>
<td>□ Yes ○ No</td>
<td>not an option</td>
</tr>
<tr>
<td>8. Nutrient controls in watershed</td>
<td>□ Yes ○ No</td>
<td>NA</td>
</tr>
<tr>
<td>9. Other:</td>
<td>□ Yes ○ No</td>
<td></td>
</tr>
</tbody>
</table>

Note: If proposed treatment involves multiple properties, consider feasibility of EACH alternative for EACH property owner. If you checked yes to any of the alternatives listed above, please explain your decision to use chemical controls:
Chemical Aquatic Plant Control Application and Permit
Wisconsin Pollutant Discharge Elimination System (WPDES)
Pesticide Pollutant Permit Application

Trade Name of Proposed Chemical(s)
Habitat, Aquaneat, Round-Up Custom

Method of Application: Spot
Will surface water outflow and/or overflow be controlled to prevent chemical loss?  Yes No
Have the proposed chemicals been permitted in a prior year on the proposed site? All Some None
What were the results of the treatment?
Reduction has been greater than 90% in all areas previously treated.

For private ponds and wetlands please ignore the next question
Is the treatment area greater than 5% of surface area? Yes No
If yes, calculate whole lake concentration (in ppm). Refer to DNR Lake pages [http://dnr.wi.gov/lakes](http://dnr.wi.gov/lakes) to answer the following:
Does the lake stratify? Yes No
If yes, calculate whole lake concentration using volume above thermocline.
If no, calculate whole lake concentration using total lake value
Whole Lake Concentration ppm

Note: Chemical fact sheets for aquatic pesticides used in Wisconsin are available from the Department of Natural Resources upon request.

Section VI- Applicant Responsibilities and Certification

1 The applicant has prepared a detailed map which shows the length, width and average depth of each area proposed for the control of rooted vegetation and the surface area in acres or square feet for each proposed algae treatment.
2 The applicant understands that the Department of Natural Resources may require supervision of any aquatic plant management project involving chemicals. Under s.NR 107.07 Wis. Adm. Code, supervision may include inspection of the proposed treatment area, chemicals and application equipment before, during or after treatment. The applicant is required to notify the regional office 4 working days in advance of each anticipated treatment with the date, time, location and size of treatment unless the Department waives this requirement. Do you request the Department to waive the advance notification requirement? Yes No

3 The applicant agrees to comply with all terms or conditions of this permit, if issued, as well as all provisions of Chapter NR 107, Wis. Adm. Code. The required application fee is attached.
4 The applicant has provided a copy of the current application to any affected property owners' association inland Lake District and, in the case of chemical applications for rooted aquatic plants, to all owners of property riparian or adjacent to the treatment area. The applicant has also provided a copy of the current chemical fact sheet for the chemicals proposed for use to any affected property owner's association or inland Lake District.
5 Conditions related to invasive species movement. The applicant and operator agree to the following methods required under s.NR 109.05(2), Wis. Adm. Code for controlling, transporting and disposing of aquatic plants and animals, and moving water:
- Aquatic plants and animals shall be removed and water drained from all equipment as required by s.30.07, Wis. Stats., and ss. NR 19.055 and 40.07, Wis. Adm. Code.

☐ Check if you are signing as Agent for Applicant.

I hereby certify that the above information is true and correct and that copies of this application have been provided to the appropriate parties named in Section II and that the conditions of the permit and pesticide use will be adhered to.

All portions of this permit, map and accompanying cover letter must be in possession of the chemical applicator at the time of treatment. During treatment all provisions of Chapter NR 107 107.07 and NR 107.08, Wis. Adm. Code, must be complied with, as well as the specific conditions contained in the permit cover letter.
Section VII - WPDES Permit Request

Is WPDES coverage being requested? Refer to http://dnr.wi.gov/topic/wastewater/aquaticpesticides.html for more information.

- [ ] No
- [ ] Yes - complete section VII with signature.

- [ ] Already have WPDES
- [ ] WPDES coverage not needed

Select which permit you are requesting:
- [ ] WI-0064556-1 Aquatic Plants, Algae & Bacteria
- [ ] WI-0064564-1 Aquatic Animals
- [ ] WI-0064581-1 Mosquitoes & other Flying Insects

Indicate WPDES permittee responsible for the pollutant discharge:
- [ ] Applicator
- [ ] Sponsor

Do you expect the pest control activity will result in a detectable pollutant discharge to waters of the state beyond the treatment area boundary or a pollutant residual in waters of the state after the treatment project is completed?

- [ ] Yes
- [ ] No

If yes, identify the pollutant(s):

Are you planning to incorporate integrated pest management principles, as specified in the WPDES permit, into your pest control activity to minimize any pollutant residual or pollutant discharge beyond the treatment area?

- [ ] Yes
- [ ] No

Type of WPDES coverage being requested:
- [ ] One Treatment Site
- [ ] Statewide Coverage

For informational purposes, select areas of WI for most of your aquatic treatments:
- [ ] NE
- [ ] NW
- [ ] SW
- [ ] SE

Is WPDES coverage being requested for more than 1 year?

- [ ] Yes
- [ ] No

If yes, the permittee will remain in “active” WPDES status until a Notice of Termination is submitted.
The foregoing application is approved. Permission is hereby granted to the applicant to chemically treat the waters described in the application during the season of 2018.

Application fee received?
- Yes [ ]
- No [x]

Advance notification of treatment required?
- Yes [ ]
- No [x]

State of Wisconsin
Department of Natural Resources
For the Secretary

By:

[Signature]
Regional Director or Designee

08/03/2018 (Signed)
Date Signed

08/03/2018 (Email)
Date Mailed

Please Note:
If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.

For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

This notice is provided pursuant to s. 227.48(2), Wis. Stats.

To request a contested case hearing pursuant to s. 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

*Note: Spoke w/C. Bohn (Phone) on 08/03/2018 regarding acre issue. Application shows 8 acres, however, she was obviously charged a fee to treat 4 acres. I chose to write in 4 acres on this application, w/her permission, to save Christine any further time or hassle.

Erin Cox 08/03/2018

Attachments and Checklists

Main Permit Application
Chemical Aquatic Plant Control Application (3200-004):

Page 1 Completion Status: Has Missing Items
Page 2 Completion Status: Complete

Upload Required Attachments (15 MB per file limit) - Help reduce file size and troubleshoot file uploads
* indicates completion of this item is required
Note: To add additional attachments using the down arrow icon. To replace an existing file, use the 'Click here to attach file' link. To remove additional items, select the item and press CNTRL Delete.

Riparian Owners [ ] File Attachment
Washington_Landowner_Info_Granberg.xlsx

Public Notice [ ] File Attachment

Large Scale Worksheet [ ] File Attachment
Online Payment

Wisconsin Department of Natural Resources Invoice Number: WP-00014321
Total Due: $120.00
Payment Confirmation # WS2WT1002629124

Please note that payment is considered successful when your financial institution renders payment for this transaction. Failure of US Bank to collect and transfer funds from the permit applicant to the DNR, does not release the applicant of financial responsibility and the DNR reserves the right to collect unpaid fees.

All payments are collected by US Bank which is an external website contracted by the Wisconsin Department of Natural Resources for the sole purpose of collecting payments over the web.

Sign and Submit Permit

Applicant Responsibilities and Certification
1. The applicant has prepared a detailed map which shows the length, width and average depth of each area proposed for the control of rooted vegetation and the surface area in acres or square feet for each proposed algae treatment.
2. The applicant understands that the Department of Natural Resources may require supervision of any aquatic plant management project involving chemicals. Under s. NR 107.07, Wis. Adm. Code, supervision may include inspection of the proposed treatment area, chemicals and application equipment before, during or after treatment. The applicant is required to notify the regional office 4 working days in advance of each anticipated treatment with the date, time, location and size of treatment unless the Department waives this requirement. The advance notification may be specified in your permit.
3. The applicant agrees to comply with all terms or conditions of this permit, if issued, as well as all provisions of Chapter NR 107, Wis. Adm. Code. The required application fee is attached.
4. The applicant has provided a copy of the current application to any affected property owners’ association, inland lake district and, in the case of chemical applications for rooted aquatic plants, to all owners of property riparian or adjacent to the treatment area. The applicant has also provided a copy of the current chemical fact sheet for the chemicals proposed for use to any affected property owner’s association or inland lake district.
5. Conditions related to invasive species movement. The applicant and operator agree to the following methods required under s. NR 109.05(2), Wis. Adm. Code for controlling, transporting and disposing of aquatic plants and animals, and moving water:
   • Aquatic plants and animals shall be removed and water drained from all equipment as required by s. 30.07, Wis. Stats., and ss. NR 19.055 and 40.07, Wis. Adm. Code.

I hereby certify that the above information is true and correct and that copies of the application have been provided to the appropriate parties name in Section II and that the conditions of the permit will be adhered to. All portions of this permit, map and accompanying cover letter must be in possession of the applicant or their agent at time of plant removal. During plant removal activities, all provisions of applicable Wisconsin Administrative Rules must be complied with, as well as the specific conditions contained in the permit cover letter.
✓ Check if you are signing as Agent for Applicant.

✓ I hereby certify that the above information is true and correct and that copies of this application have been provided to the appropriate parties named in Section II and that the conditions of the permit and pesticide use will be adhered to.
FIGURE 1

STH 33

NR-107 Aquatic Plant Treatments
Washington County, Wisconsin

Legend
Species
- Phragmites

Species
- Phragmites

- Parcels

- HYDRO_24K

- Wetlands
Figure 2: DWLT Riverbend Conservancy

Surface Water Data Viewer Map

Legend
- Township
- Section
- Quarter-Quarter
- County Boundary
- Cities, Towns & Villages
  - City
  - Village
  - Civil Town
- Municipality
- State Boundaries
- County Boundaries
- Major Roads
  - Interstate Highway
  - State Highway
  - US Highway
- County and Local Roads
  - County HWY
  - Local Road
- Railroads
- Tribal Lands
- Rivers and Streams
- Intermittent Streams
- Lakes and Open water

DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability, and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: http://dnr.wi.gov/legal/
FIGURE 3
Stauss Property, MMSD
NR-107 Aquatic Plant Treatments
Washington County, Wisconsin

Legend
Species
- Phragmites

Species
- Phragmites
- Parcels
- HYDRO_24K
- Wetlands

LT_ROLE
- Title
- Partner
**Figure 3: Staus's Property**

**Legend**
- Township
- Section
- County Boundary
- Cities, Towns & Villages
  - City
  - Village
  - Civil Town
- Municipality
- State Boundaries
- County Boundaries

**Major Roads**
- Interstate Highway
- State Highway
- US Highway

**County and Local Roads**
- County H/FA
- Local Road

**Railroads**
- Tribal Lands

**Rivers and Streams**
- Intermittent Streams

**Lakes and Open water**

**Notes**
- NAD_1983_HARN_Wisconsin_TM 1: 47,520

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FIGURE 4
Conservation Easement, Carpenter
NR-107 Aquatic Plant Treatments
Washington County, Wisconsin
Surface Water Data Viewer Map

Legend
- Township
- Section
- County Boundary
- Cities, Towns & Villages
  - City
  - Village
  - Civil Township
- Municipality
- State Boundaries
- County Boundaries
- Major Roads
  - Interstate Highway
  - State Highway
  - US Highway
- County and Local Roads
  - County HWY
  - Local Road
- Railroads
- Tribal Lands
- Rivers and Streams
- Intermittent Streams
- Lakes and Open Water

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Figure 4: OWLT Conservation Easement, Carpenter
FIGURE 5
Hahn Property, Town of Trenton
NR-107 Aquatic Plant Treatments
Washington County, Wisconsin

Legend
- County Boundary
- Species
  - Phragmites

Species
- Phragmites
- Parcels
- HYDRO_24K
- Wetlands

LT_ROLE
- CE
- Title
- Partner
Figure 2: Riverbend Conservancy

Parcel ID: T11_040500E

Ownership Information:
OZAUKEE WASHINGTON LAND TRUST INC
PO BOX 917
WEST BEND WI 53095-0000

Property Description:
PT OF NW NE+PT OF NE NW CSM 5375 LOT 2 DOC 899167

Figure 3: Stauss Property

Parcel ID: GTNV_123999

Ownership Information:
MILWAUKEE METROPOLIT
260 W SEEBOOTH ST
MILWAUKEE WI 53204-1446

Property Description:
SE SW EXC CSM 3768 DOC 1179913 SEC 12-9-20 37.96 AC

Figure 4: OWLT Easement, Carpenter

Parcel: T11_0665

Ownership Information:
MATTHEW C CARPENTER, JANE Y CARPENTER
5440 CTY HWY M
WEST BEND WI 53095-

Property Description:
NE NW DOC 1383596 EXC PT SOLD

Figure 5: Hahn

Parcel ID: T11_0636

Ownership Information:
BETH ELLEN OEZER, EDWARD JOHN HAHN
W261N9119 CRESTWOOD DR
SUSSEX WI 53089-0000

Property Description:
E1/2 NE NE V669 P416+DOC 931293+1379107+1381261